

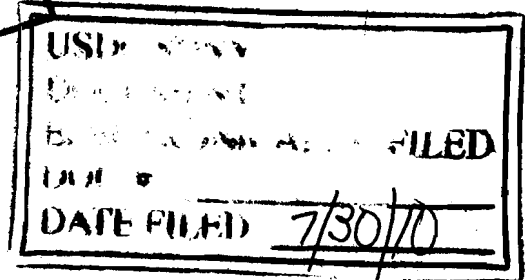
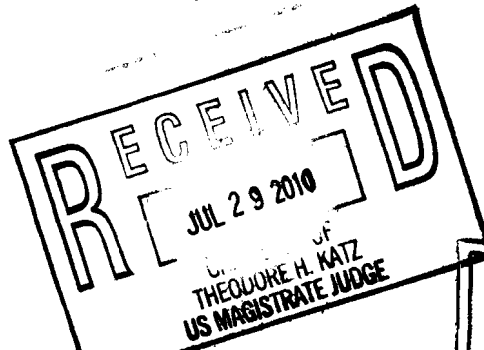
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July 29, 2010

BY FACSIMILE

The Honorable Theodore H. Katz
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 17D
New York, New York 10007-1312



Re: Ambac Assurance Corporation v. EMC Mortgage Corporation, Index No. 08
Civ. 9464 (RMB) (THK)

Dear Judge Katz:

We represent Defendant EMC Mortgage Corporation ("EMC").

Upon receipt and review of Ambac's moving papers relating to its request for leave to amend its Complaint, we have concluded, in consultation with counsel for Ambac, that it is necessary to add one day to each of the current deadlines relating to EMC's response and Ambac's reply relating to the motion. Accordingly, EMC would advise Ambac and the Court by tomorrow, July 30th, whether it will seek to have the moving papers filed under seal, will, if necessary, file a motion to seal by August 5th, and file its response to the motion for leave to amend by August 23rd. Ambac would file its reply by September 13th.

We hope that the foregoing is acceptable to the Court and, if so, jointly request that Your Honor endorse this letter to amend the schedule accordingly. Should Your Honor have any questions or concerns, we would be happy to address them in a conference call at the Court's convenience.

Granted

Respectfully submitted,

Eric N. Whitney
On Behalf of EMC Mortgage Corporation

SO ORDERED

7/30/10 *Theodore H. Katz*
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

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The Honorable Theodore H. Katz
United States Magistrate Judge
July 29, 2010
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